

§ 2792. Limitations on use of funds for laboratory directed research and development purposes

(a) General limitations

(1) No funds authorized to be appropriated or otherwise made available to the Department of Energy in any fiscal year after fiscal year 1997 for weapons activities may be obligated or expended for activities under the Department of Energy Laboratory Directed Research and Development Program, or under any Department of Energy technology transfer program or cooperative research and development agreement, unless such activities support the national security mission of the Department of Energy.

(2) No funds authorized to be appropriated or otherwise made available to the Department of Energy in any fiscal year after fiscal year 1997 for environmental restoration, waste management, or nuclear materials and facilities stabilization may be obligated or expended for activities under the Department of Energy Laboratory Directed Research and Development Program, or under any Department of Energy technology transfer program or cooperative research and development agreement, unless such activities support the environmental restoration mission, waste management mission, or materials stabilization mission, as the case may be, of the Department of Energy.

(b) “Laboratory directed research and development” defined

In this section, the term “laboratory directed research and development” has the meaning given that term in section 2791(d) of this title.

(Pub. L. 107-314, div. D, title XLVIII, § 4812, formerly Pub. L. 105-85, div. C, title XXXI, § 3137, Nov. 18, 1997, 111 Stat. 2038; renumbered Pub. L. 107-314, div. D, title XLVIII, § 4812, and amended Pub. L. 108-136, div. C, title XXXI, § 3141(k)(7)(A), Nov. 24, 2003, 117 Stat. 1784; Pub. L. 112-239, div. C, title XXXI, § 3131(w), Jan. 2, 2013, 126 Stat. 2184.)

CODIFICATION

Section is comprised of section 4812 of Pub. L. 107-314. Subsec. (c) of section 4812 of Pub. L. 107-314 amended section 2793 of this title and was subsequently struck out by Pub. L. 112-239, div. C, title XXXI, § 3131(w)(1), Jan. 2, 2013, 126 Stat. 2184. See 2013 Amendment note below.

Section was formerly classified to section 7257c of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108-136.

AMENDMENTS

2013—Subsecs. (b) to (e). Pub. L. 112-239 redesignated subsec. (e) as (b) and struck out former subsecs. (b) to (d). Prior to amendment, subsec. (b) related to a funding limitation in fiscal year 1998 pending submittal of annual report, subsec. (c) was omitted, and subsec. (d) related to an assessment of funding level for laboratory directed research and development.

2003—Subsec. (b). Pub. L. 108-136, § 3141(k)(7)(A)(iv), made technical amendment to reference in original act which appears in text as reference to section 2793(b) of this title.

Subsec. (d). Pub. L. 108-136, § 3141(k)(7)(A)(v)(II), made technical amendment to reference in original act which appears in text as reference to section 2791(c) of this title.

Pub. L. 108-136, § 3141(k)(7)(A)(v)(I), made technical amendment to reference in original act which appears in text as reference to section 2793(b)(1) of this title.

Subsec. (e). Pub. L. 108-136, § 3141(k)(7)(A)(vi), made technical amendment to reference in original act which appears in text as reference to section 2791(d) of this title.

§ 2793. Limitation on use of funds for certain research and development purposes

(a) Limitation

No funds authorized to be appropriated or otherwise made available to the Department of Energy for fiscal year 1997 under section 3101 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201) may be obligated or expended for activities under the Department of Energy Laboratory Directed Research and Development Program, or under any Department of Energy technology transfer program or cooperative research and development agreement, unless such activities support the national security mission of the Department of Energy.

(b) Annual report

(1) Not later than February 1 each year, the Secretary of Energy shall submit to the congressional defense committees a report on the funds expended during the preceding fiscal year on activities under the Department of Energy Laboratory Directed Research and Development Program. The purpose of the report is to permit an assessment of the extent to which such activities support the national security mission of the Department of Energy.

(2) Each report shall be prepared by the officials responsible for Federal oversight of the funds expended on activities under the program.

(3) Each report shall set forth the criteria utilized by the officials preparing the report in determining whether or not the activities reviewed by such officials support the national security mission of the Department.

(Pub. L. 107-314, div. D, title XLVIII, § 4812A, formerly Pub. L. 104-201, div. C, title XXXI, § 3136, Sept. 23, 1996, 110 Stat. 2830; Pub. L. 107-314, div. D, title XLVIII, § 4812(c), formerly Pub. L. 105-85, div. C, title XXXI, § 3137(c), Nov. 18, 1997, 111 Stat. 2039, renumbered Pub. L. 107-314, div. D, title XLVIII, § 4812(c), by Pub. L. 108-136, div. C, title XXXI, § 3141(k)(7)(A)(i)-(iii), Nov. 24, 2003, 117 Stat. 1784; renumbered Pub. L. 107-314, div. D, title XLVIII, § 4812A, and amended Pub. L. 108-136, div. C, title XXXI, § 3141(k)(7)(B), Nov. 24, 2003, 117 Stat. 1784.)

REFERENCES IN TEXT

Section 3101 of the National Defense Authorization Act for Fiscal Year 1997, referred to in subsec. (a), is section 3101 of Pub. L. 104-201, div. C, title XXXI, Sept. 23, 1996, 110 Stat. 2820, which is not classified to the Code.

CODIFICATION

Subsec. (b) of this section was formerly classified to section 7257b of Title 42, The Public Health and Welfare, prior to renumbering by Pub. L. 108-136.

AMENDMENTS

2003—Subsec. (a). Pub. L. 108-136, § 3141(k)(7)(B)(iv), inserted “of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201)” after “section 3101”.

1997—Subsec. (b)(1). Pub. L. 107-314, § 4812(c), formerly Pub. L. 105-85, § 3137(c), substituted “Not later than